

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING - July 6, 2000
City Hall, Common Council Committee Room 301-B

MINUTES

Chairman: Craig H. Zetley (*voting on items 1-66*)

Members: Henry P. Szymanski (*voting on items 1-57, 59-66*)
Scott R. Winkler (*voting on items 1-66*)
Catherine M. Doyle (*Excused*)
Roy B. Nabors (*voting on items 1-57, 59-66*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-52, 58*)
Donald Jackson (*voting on items 53-66*)

START TIME: 2:05 p.m.

End Time: 8:35 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	22946 Appeal of an Order	Nancy L. Kohl, Property Owner Request to appeal the order of the inspector.	8201 N. 107th St. 15th Dist.
	Action:		
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	23008 Rehearing Request	H & M Auto Service James Hull;Prospective Buyer Request to occupy the premises as a motor vehicle salvage and parts sales facility with the addition of used motor vehicle sales.	2424 N. 30th St. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the rehearing request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	23037 Resubmission Request	REO Motors, Inc. Salim Shelleh; Property Owner Request to occupy the premises as a motor vehicle sales facility.	2777 S. 27th St. A/K/A 2769 S. 27th St. 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the resubmission request. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	22961 Use Variance	Laura E. Ruiz, Lessee Request to occupy the premises as a nail salon (personal service).	2635 W. Burnham St. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That signage is limited to a maximum of 17.5 square feet.</p> <p>6. That signage is to be located within the storefront windows and/or be located in the sign band above the storefront windows.</p> <p>7. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	23023 Change of Operator	Wadood Ahmad, Lessee Request to continue occupying the premises as a gas station.	123 W. Oklahoma Av. 14th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	22999 Change of Operator	Mohammed B. Abdellatif, Lessee Request to continue occupying the premises as a grocery store.	1556 N. 33rd St. 4th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	23031 Extension of Time	David Grosse, Property Owner Request to comply with conditions of case No. 19506.	3102 W. State St. A/K/A 3100-02 W. State St. 4th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	23034 Change of Operator	Milwaukee City Outreach Center Childcare Gregory Williamson; Lessee Request to continue occupying the premises as a day care center.	740 N. James Lovell St. A/K/A 740 N. 7th St. 4th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	23040 Extension of Time Granted	D&R Auto Repair, Prospective Buyer Request to comply with the conditions of Case No. 21682.	245 E. Keefe Av. 6th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	23012 Special Use	Ashleys Multicultural Child Care Center, Inc.; Lisa Ashley; Lessee Request to occupy the premises as a day care center for 50 children, ages 2 wks. - 12 yrs., from 6 a.m. to 6 p.m.	5520 W. Burleigh St. 7th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
11	23044 Extension of Time	Don and Kathleen Biggs, Property Owner Request to comply with the conditions of case No. 20119.	3030 N. 58th St. 7th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	23039 Extension of Time	Robert Koontz, Property Owner Request to comply with the conditions of decision No. 21298.	2671 S. 6th St. 8th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	22486 Dimensional Variance Dismissed	Lavon Hazel Lagrone Request to construct an addition to the existing Type 'A' restaurant without the required number of parking spaces.	3879 N. Teutonia Av. 10th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
14	23014 Change of Operator	Mary Connell, Lessee Request to continue occupying the premises as a tavern.	200 E. Washington St. 12th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
15	22997 Use Variance	Jeannette Tries, Property Owner Request to install an air conditioner condenser in the front yard.	3361 S. Indiana Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing date.	
16	22998 Use Variance	Patrick's Automotive Michael Patrick; Lessee Request to occupy the premises as a motor vehicle repair facility.	2934-36 S. 9th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderwomen and will be rescheduled at the next available hearing date.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	23003 Special Use	Loving Start Preschool Martha Whitaker, Director; Lessee Request to occupy a portion of the premises as a day care center for 19 children, ages 2 - 5 yrs, from 8:45 a.m. to 11:45 a.m.	2931 S. Kinnickinnic Av. A/K/A 2937 S. Kinnickinnic 14th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
18	23038 Special Use	Minerey Products, LLC, Lessee Request to construct and occupy the premises as a facility that stores, grinds and distributes mineral products.	1975 S. Carferry Dr. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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19	23001 Dimensional Variance	August Urbanek, Property Owner Request to construct a new street that will place an existing garage within the newly required setback area.	11308 W. Green Tree Rd. 15th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	
20	23002 Use Variance	Edward S. Friend, Property Owner Request to reconstruct and occupy the rear of the premises as a 6 car garage and loft studio.	5337 W. Vliet St. 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

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21	22996 Special Use	Kyung Bergemann, Lessee Request to occupy the premises as a second hand sales facility.	1935 W. Silver Spring Dr. A/K/A 1935 W. Silver Spring Dr. # 1B 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
22	22992 Special Use	The Mission of the Harvest Church of God John C. Pittman;Prospective Buyer Request to occupy the premises as a church.	6519 W. Fond du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing date.	
23	22956 Special Use	Rabinder Khahra, Property Owner Request to construct and occupy the premises as a gas station with a convenience store.	5904-06 W. Hampton Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing date.	

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24	23013 Dimensional Variance	Messmer Preparatory, Prospective Buyer Request to construct an addition to the existing building.	3027 N. Fratney St. A/K/A 3027-55 N. Fratney 3rd Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the appellant continue to work with Department of City Development staff on an acceptable façade and elevation plan, and that such plans are approved by the department prior to the issuance of any permits. 5. That this Variance is granted to run with the land. 	
25	23025 Use Variance	A.F. Gallun & Sons, LLC David Behnke;Property Owner Request to continue occupying the entire premises as a multi-use residential/commercial building with the addition of 4 new apartments on the second floor, a common area on the first floor, parking, and storage space.	1818 N. Water St. A/K/A 1818-30 N. Water 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing date.	

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26	23007 Use Variance Granted	New Thought Community Rev. Thomas C. Sannar; Lessee Request to occupy a portion of the premises as a church.	219 N. Milwaukee St. A/K/A 219-33 N. Milwaukee 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	
27	23000 Use Variance	YMCA of Metro Milwaukee Pat Hernandez; Lessee Request to occupy a portion of the premises as a day care center for 15 children, ages 3 to 5 yrs., from 9 a.m. to 3 p.m.	8424 W. Center St. A/K/A 8432-34 W. Center St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing date.	

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28	23022 Special Use	Reservoir Street Lofts, LLC. Stephen Bialk;Property Owner Request to convert the existing building into residential dwelling units. Action: Granted Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans are submitted which meet the intent of s.295-75; including details of the proposed urban edge treatment. 5. That the appellant agrees to work with Department of City Development staff on any design related issues. 6. That this Special Use is granted to run with the land.	1848 N. 4th St. 6th Dist.
29	23010 Special Use	Apple Tree Learning Center, Inc. Maureen Witherspoon;Lessee Request to occupy the premises as a day care center for 35 children, ages 6 wks. to 12 yrs., from 6 a.m. to 12 a.m Mon.-Fri. and 8 a.m. to 2 p.m. on Sat. Action: Adjourned Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	2707 N. 54th St. 7th Dist.

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30	23017 Use Variance Granted	DWK Investments, LLC Jeffery J. Butcher & Donald W. Kubenik; Property Owner Request to construct a warehouse/manufacturing facility on the premises.	3701 W. Burnham St. 8th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the pedestrian path to the sidewalk from S. 37th St. be relocated to the south, out of the driveway approach.</p> <p>5. That the variance be granted for a period of 6 months during which time the appellant must apply for a zoning change to manufacturing or industrial zoning.</p> <p>6. That the appellant work with Department of City Development staff to develop acceptable facade, elevation, and site plans.</p> <p>7. That landscape plans are submitted to and approved by the Department of City Development Permit Center that meet the intent of s295-75. The plan must include acceptable screening of all garbage dumpsters.</p> <p>8. That site illumination does not glare onto adjacent streets and abutting properties.</p> <p>9. That all plan approvals are coordinated with the Village of West Milwaukee.</p> <p>10. That this Variance is granted for a period of six (6) months, commencing with the date hereof.</p>	

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31	23009 Special Use	Miki Gilerovich, Property Owner Request to occupy the premises as a motor vehicle repair and sales facility with a screened outdoor junkyard on site.	3626 W. Mill Rd. A/K/A 3600-26 W. Mill 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained per the approved plan of March 26, 1993. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
32	23011 Special Use	Hoffer's Tropic Life Pets Michael Hoffer;Prospective Buyer Request to construct and occupy the premises as a retail sales facility (pet store).	7313 N. 76th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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33	23024 Special Use	Southeast Sales Corp. Emma M. Erdmann;Property Owner Request to continue occupying the premises as a motorcycle sales and repair facility with a new 1800 sq. ft. addition to the west of the existing building. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans are upgraded to meet the intent of s.295-75 of the City Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	6930 N. 76th St. 9th Dist.
34	23032 Special Use	George Piche, Lessee Request to occupy a portion of the premises as an office.	7014 W. Good Hope Rd. A/K/A 7000-14 W. Good Hope Rd. 9th Dist.
		Action: Dismissed Motion: Roy Nabors moved to dismiss the item. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: --	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	22987 Special Use	Golden Rule Church of God in Christ Corrine Miller;Property Owner Request to occupy the premises as a church with a day care center for 63 children, ages infant to 12 yrs., from 6 a.m to 6 p.m. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	2428-30 W. Hopkins St. 10th Dist.
36	22988 Special Use	Golden Rule Church of God In Christ Corrine Miller;Property Owner Request to occupy the premises as a church. Action: Adjourned Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	2432-34 W. Hopkins St. 10th Dist.

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37	23015 Special Use	Serenity Family Center, Lessee Request to occupy the premises as a day care for approximately 50 children, 6 weeks to 12 years of age, Monday through Friday from 6:00 AM to 11:30 PM, and Saturday 7:00 AM to 5:50 PM.	4248 W. Fond du Lac Av. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant apply for and maintain a loading zone on W. Keefe Ave., adjacent to the site. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
38	23030 Dimensional Variance	Divine Peace Ev. Lutheran Church, Property Owner Request to construct a 34.75 sq. ft. ground sign on the premises.	3203 S. 76th St. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

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39	22995 Special Use	Mian's Oil Corp Riaz Mian;Property Owner Request to continue occupying the premises as a gas station and expand the existing convenience store.	1707 W. Rogers St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Department of Neighborhood services and will be rescheduled for the next available hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	23004 Dimensional Variance	Betty Ulmer & Pedro Colon, Property Owner Request to occupy the existing third floor of the dwelling unit as living space.	332-38 W. Walker St. 12th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

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41	23018 Use Variance	Juan C. Silva d/b/a Jalisco's Western Wear;Property Owner Request to occupy the premises as a retail sales facility.	1905 S. 13th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That signage is limited to a maximum of 17.5 square feet. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
42	23019 Special Use	Jeffrey A. Hicks, Property Owner Request to occupy the existing accessory structure on the premises as a church to allow for the interment of human remains.	1636 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	23041 Special Use	Canadian Pacific Railway c/o Joyce Rizzo, Construction Resources;Property Owner Request to construct a transmission tower in excess of 80 feet with an equipment cabinet. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	6127-R S. 6th St. 13th Dist.
44	22979 Dimensional Variance	Milwaukee County Department of Public Works;Property Owner Request to construct and occupy the premises as a parking lot without the required 5' landscape buffer. Action: Granted 1 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of one (1) year, commencing with the date hereof.	5675 S. 6th St. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	23042 Dimensional Variance	Allan W. McFadyen, Property Owner Request to construct a bedroom and 2nd fl. office in the existing non-conforming dwelling unit.	4123 S. 1st St. 13th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the parking slab is setback 25 feet from the front property line or what ever distance is necessary so that the parking slab is in line with the sides of the abutting residences. 5. That the curb cut for the parking slab is one car width wide. 6. That the appellant work with Dept. of City Development staff on the design of the shed that is compatible with the residential character of the neighborhood. 7. That this Variance is granted to run with the land. 	
46	23005 Dimensional Variance	True Rock Church of God In Christ Congregation Pastor Earnest Franklin, Jr.;Property Owner Request to construct and occupy the premises as a church without the total number of parking spaces required by code.	9214 W. Silver Spring Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	22951 Special Use	Nellie Thompson, Property Owner Request to occupy the premises as a day care center for 70 children, ages infant to 13yrs., open 24 hours.	3732 W. Lisbon Av. A/K/A 3726-32 W. Lisbon 17th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	22905 Use Variance	Repairers of the Breach, Inc. Ms. MacCanon Brown;Property Owner Request to occupy the premises as a social service facility.	1331-33 W. Vliet St. A/K/A 1329-41 W. Vliet St. 17th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
49	22993 Use Variance	Milestones Programs for Children Jackie Larus Conway;Lessee Request to continue occupying the premises as a day care center for 78 children, ages 3 mo. to 12 yrs., from 7:00 a.m to 6:00 p.m.	2717 E. Hampshire St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	22923 Use Variance	Jay Curtiss System Parking, Inc.; Lessee Request to occupy the premises as a commercial parking lot.	2419 E. Kenwood Bl. 3rd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	23016 Dimensional Variance	Dennis Lutynski, Property Owner Request to continue occupying the premises as a 3-family dwelling unit.	2977-79 N. Cramer St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing date.	
52	23021 Use Variance	Karen Zammit, Property Owner Request to occupy a portion of the premises as a personal service facility (massage therapy).	3446-A N. Dousman St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 1 Nay - S. Winkler	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner receive permission from the condominium association to occupy the premises for the proposed use. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	22950 Dimensional Variance	Carmen Maldonado & Johnny Rodriguez, Property Owner Request to convert the third floor of the existing dwelling into habitable space to be used in conjunction with the 2nd floor.	2833 N. Downer Av. 3rd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
54	22989 Dimensional Variance	Naomi Kennison, Property Owner Request to install an air condensor unit in the south side setback.	3951 N. 81st St. 5th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	22929 Special Use	Speedway SuperAmerica, Property Owner Request to build a new motor vehicle pumping station/convenience store.	8431 W. Appleton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That under either proposed option, the appellant must submit upgrade landscaping and screening plans, which meet the intent of s.295-75 and include an urban edge treatment consisting of decorative iron fencing along street frontages.</p> <p>5. That landscaping and screening plans must be submitted to and approved by the Department of City Development prior to the issuance of any permits.</p> <p>6. That under either option, a concrete pedestrian link to the sidewalk along West Appleton Avenue must be established.</p> <p>7. That the appellant agrees to work with the Department of City Development on any design or site plan related issues.</p> <p>8. That the hours of operation are 5:00 a.m.until 12:00 a.m.</p> <p>9. That this Special Use and these Variaces are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	23020 Special Use	Grace Family Day Care, Inc. Evaughn High;Lessee Request to occupy the premises as a day care center and school for 99 children, ages infant to 12 years, from 6:00 a.m. to 6:00 p.m. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the operator obtains an occupancy permit and complies with all State requirements for daycares 5. That landscaping and screening plans are submitted which meet the intent of s.295-75. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	7903 W. Capitol Dr. 5th Dist.
57	22974 Special Use	Pop's and Son's Tire Keith O. Wright;Lessee Request to occupy the premises as a motor vehicle repair facility (tire sales and repair). Action: Adjourned Motion: This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing date.	5616 W. Lisbon Av. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	22868 Special Use	Tanya Lewis He Cares Christian Child Care Center;Lessee Request to continue occupying the premises as a day care center for 26 children ages infant to 6 yrs., from 7:00 a.m. to 5:00 p.m.	4634 W. Burleigh St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the operator complies with current State commercial code for day cares.</p> <p>5. That all previous conditions are complied with except that condition #3 from case # 19132 may be revised to read 'That the play area be completely fenced in and utilized on the basis of 75 square feet of area per child.'</p> <p>6. That the applicant must provide written notice to the parents regarding the parking restrictions once per month.</p> <p>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	22986 Special Use	Cashland Check Cashing Corp., IV Robert A. Teper, Esq.; Lessee Request to occupy the premises as a currency exchange facility.	2000 W. Becher St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained - R. Nabors	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all storefront windows along the east and south sides of the building are restored to clear glass and maintained in an attractive manner. 5. That the wall signs must include the name of the business in letters larger than the type of services provided. 6. That an awning similar to the awnings along the southside of the building is placed over the restored eastern storefront window. 7. That the security grate is removed from the entrance to the facility. 8. That upon request by the alderman the petitioner will change the hours of operation to a 9:00 p.m. closing time. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
60	22982 Use Variance	Robert Clements & Lorraine Stehofskey, Lessee Request to continue occupying the premises as a tavern.	3642 W. Lapham St. 8th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	22896 Special Use	Ramon Arteaga, Property Owner Request to continue occupying the premises as a motor vehicle sales facility.	1601 W. Becher St. 8th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing date.	
62	22973 Special Use	Pass it on Club, Inc. Kurt Vollbrecht (Pres.);Property Owner Request to continue occupying the premises as a community center.	6229 W. Forest Home Av. 11th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant continues to monitor and control noise problems. 5. That all previous conditions of the Board regarding this property are maintained. 6. That the appellant form a committee that meets monthly and provides a written report to the alderman of the district each month, as well as, submit a report to the Department of Neighborhood services every six months. 7. That security be provided on site during operating hours to control noise and litter on the premises. 8. That within 90 days the petitioner request from the Department of Public Works that parking along W. Forest Home Ave. be eliminated. 9. That the participants of the community center use the parking which is provided on the side and rear of the premises. 10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	22967 Special Use	Mr. Khalid Ahmed, Prospective Buyer Request to occupy the premises as a gas station with a convenience store and car wash.	9211 W. Beloit Rd. A/K/A 3231 S. 92nd St. 11th Dist.
	Action:	Adjourned	
64	22948 Use Variance	Milwaukee Health Service Systems Mrs. Nellie Kendrick; Lessee Request to continue occupying the premises as a medical clinic and social service facility.	2778 S. 35th St. 8th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the item to adm. review. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained - C. Zetley	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	22949 Special Use	Michael H. Coon, Lessee Request to occupy the premises as a motor cycle repair facility.	8302 W. Lisbon Av. 5th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 1 Nay - S. Winkler	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a permanent physical barrier, preferably landscaping as required by City Code, is installed between the parking lot on site and the sidewalk along W. Lisbon Ave. 5. That a raised barrier is installed between the parking lot and the alley to the rear of the site to replace the existing wheel stops and preclude all vehicular access to the alley. 6. That landscaping and screening meets the intent of s.295-75. 7. That no disabled or unlicensed vehicles or parts are stored outside. 8. That all repair work is conducted inside of the building. 9. That no vehicle test-driving is conducted in the surrounding residential areas. 10. That the applicant take reasonable measures to control noise on the premises. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	22962 Special Use	Horner Sod Farm Mike Sanfillipo;Property Owner Request to occupy the premises as a motor vehicle pumping station, convenience store, car wash, and restaurant.	605-27 S. 1st St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the proposed monument sign at the driveway is modified to provide sight lines between 30 inches and 72 inches in height so as to eliminate any vision obstruction. 5. That illumination not glare onto neighboring properties or streets. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

Other Business:

Board member Scott Winkler moved to approve the minutes of the June 8, 2000 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for July 27, 2000.

Board member Scott Winkler moved to adjourn the meeting at 8:35 p.m.. Seconded by Board member Henry Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board